

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE  
REQUEST FOR FILING APPLICATION UNDER 37 C.F.R. 1.53(b)  
**WITHOUT FILING FEE AND/OR WITHOUT EXECUTED INVENTOR'S DECLARATION**

Assistant Commissioner for Patents  
Washington, DC 20231

Atty. Dkt. 1331-352

Date: August 16, 2001

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11002 U.S. PTO  
09/930494  
10/91/00

This is a request for filing a new PATENT APPLICATION under Rule 53(b) entitled:  
**COMPOSITIONS AND METHODS FOR TREATMENT OF MITOCHONDRIAL DISEASES**

without a filing fee and/or without an executed inventor's oath/declaration.

This application is made by the below identified inventor(s). Attached hereto are the following papers:

- ☐ Newly executed Declaration, ☐ Copy of Declaration from prior application, ☒ Abstract  
66 pages of specification and claims (including 50 numbered claims), and  
16 sheets of accompanying drawing/s.

☐ Record the attached assignment and return to the undersigned.

☐ Attached is a Power of Attorney.

☐ Priority is hereby claimed under 35 U.S.C. § 119 based on the following foreign applications:

Application Number	Country	Day/Month/Year Filed
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, respectively, the entire content of which is hereby incorporated by reference in this application..

☐ Certified copy(ies) of foreign application(s) is/are attached.

☐ Certified copy(ies) filed on \_\_\_\_\_ in prior application no. \_\_\_\_\_ filed \_\_\_\_\_

☐ Please amend the specification by inserting the following paragraph before the first line: --This application claims the benefit of Provisional Application No. \_\_\_\_\_, filed \_\_\_\_\_, the entire content of which is hereby incorporated by reference in this application.--

Please amend the specification by inserting the following paragraph before the first line: --This application is a ☐ continuation/☐ division/☐ continuation-in-part of Application No. \_\_\_\_\_, filed \_\_\_\_\_, the entire content of which is hereby incorporated by reference in this application.--

Petition filed in prior application to extend its life to insure co-pendency.

The prior application is assigned to \_\_\_\_\_

It is hereby requested that the Examiner consider the art cited in the above parent application(s) by applicant and/or the Examiner for the reasons stated therein. A listing of that art is attached, but pursuant to Rule 98(d) copies are not required.

Applicant claims "small entity" status. ☐ "Small entity" statement attached.

Please enter the attached and/or below preliminary amendment **prior** to calculation of filing fee:

Also attached: ☐ Information Disclosure Statement; ☐ Non-Publication Request; ☐ Nucleotide and/or Amino Acid Sequence Submission; ☐ Statement deleting Inventor(s) named in prior application; ☐ Other:

Inventor:	Reid	W.	Von Borstel	United States
	(first)	MI	(last)	(citizenship)

Residence: (city)	Potomac	(state/country)	Maryland, U.S.A.
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Mailing Address:	8310 Fox Run, Potomac, Maryland, U.S.A.
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2. Inventor:	Joel	A.	Saydoff	United States
	(first)	MI	(last)	(citizenship)

Residence: (city)	Middletown	(state/country)	Maryland, U.S.A.
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☐ See attached sheet(s) for additional inventor(s) information!!

Address all future communications to NIXON & VANDERHYE P.C., 1100 North Glebe Road, 8<sup>th</sup> Floor, Arlington, VA 22201.

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By Atty: Leonard C. Mitchard, Reg. No. 29,009

Signature: \_\_\_\_\_